

REMARKS

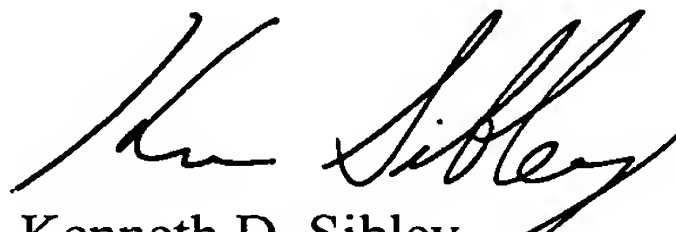
Claim 138 stands rejected as indefinite in lacking antecedent basis for the phrase "the same transition metal complex". To clarify that the objected-to phrase is the first recitation of this phrase, the additional phrase "said aqueous solution" has been inserted prior to the indicated phrase. Further, the phrase "the same" has been rewritten as "and wherein said aqueous solution connecting each of said plurality of oligonucleotide probes and said oxidation-reduction detection electrodes is the same" to insure technically correct antecedent basis for the elements of the claims. It is respectfully submitted that these are not narrowing amendments, and it is respectfully submitted that this rejection may now be withdrawn.

The article "a" has also been added to claim 138, where "an" had previously been removed, to enhance the readability thereof. This portion of claim 138 now reads "a plurality of" rather than simply "plurality of" or the prior grammatically incorrect "an plurality of". Also, the description of the "electrode" has been standardized throughout the claims.

Claims 138 and 140-142 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-27 of U.S. Patent No. 6,132,971 and claims 61, 70 and 76 of U.S. Patent No. 6,346,387. A terminal disclaimer in connection with these cited patents is submitted concurrently herewith. Accordingly, it is respectfully submitted that this rejection may also be withdrawn.

It is respectfully submitted that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,


Kenneth D. Sibley
Registration No. 31,665

USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401